

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: 7/29/2009
Date Adopted: _____
Date Effective: _____

**AN ORDINANCE AMENDING SECTION 7-6-305 OF TITLE 7 OF
THE WEST VALLEY CITY MUNICIPAL CODE REGARDING THE
PLACEMENT AND SETBACKS OF ACCESSORY BUILDINGS IN
THE R-1 ZONES.**

WHEREAS, Section 7-6-305 of Title 7 of the West Valley City Municipal Code regulates the minimum lot and setback requirements; and

WHEREAS, staff recommends amending text that would make the R-1 Zones less restrictive by allowing one accessory building (shed) in one side yard with requirements for setbacks, limitations on size and height, material requirements, and placement restrictions; and

WHEREAS, the City Council of West Valley City, Utah, hereby determines that it is in the best interest of the citizens of West Valley City to amend Section 7-6-305 of Title 7 of the West Valley Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as follows:

Section 1. Repealer. Any provision of the West Valley City Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Section 7-6-305 of Title 7 of the West Valley City Municipal Code is hereby amended as follows:

7-6-305. MINIMUM LOT AND SETBACK REQUIREMENTS.

(1) The following shall be the minimum lot areas, widths and setbacks in single-family residential zones:

Zone	Lot Area	Lot Width	F	S	Garage Side	R
R-1-4	4,000 S.F.	50'	25'	0'	10'	20'
R-1-6	6,000 S.F.	65'	25'	6'	10'	20'
R-1-7	7,000 S.F.	70'	25'	8'	10'	20'
R-1-8	8,000 S.F.	80'	25'	8'	10'	20'
R-1-10	10,000 S.F.	90'	30'	8'	10'	20'

R-1-12	12,000 S.F.	90'	30'	10'	10'	30'
R-1-15	15,000 S.F.	95'	30'	10'	10'	30'
R-1-20	20,000 S.F.	100'	35'	10'	10'	30'

F = Front

S = Side

R = Rear

- (2) For homes existing as of the effective date of this ordinance, April 18, 1990, the side yard setback adjacent to a one-story garage, may be reduced to a minimum of four feet provided the four-foot side yard is hard surfaced. The garage shall continually function as a storage area for vehicles and cannot be converted to living space for a dwelling.
- (3) For homes constructed prior to July 8, 1986, the rear yard setback may be reduced to a minimum of 15 feet provided the home has an attached or detached double car garage.
- (4) The width of lots on cul-de-sacs shall be measured at the front setback line. Such widths may be reduced a maximum of five feet from widths listed above.
- (5) The width of corner lots shall be increased by 10 feet from the minimum width listed above. The minimum side yard abutting a public or private street shall be 20 feet.
- (6) Accessory buildings placed in the rear yard shall meet the standards in 6(a). Accessory buildings placed in the side yard shall meet the standards in 6(b).
 - a. Accessory buildings may be located in the rear yard to within one foot of the side and rear property lines, provided the building has at least six feet of separation from the rear of the dwelling, does not encroach on any recorded easements, and occupies no more than 25 percent of the rear yard, and is located no closer than 10 feet to a dwelling on an adjacent lot. On double frontage lots or corner lots, accessory buildings shall not be allowed within 20 feet of any dedicated street, unless a sound wall exists separating the street from the accessory building. Where a sound wall exists, the accessory building shall be at least 1 foot from the side and rear property lines.
 - b. Accessory buildings placed in the side yard shall meet the setback standards in paragraph 1 of this Section. One accessory building per property is permitted to encroach in to the side yard setback, but only if it meets all of the following standards:
 - i. The accessory building is less than 120 square feet in area; and
 - ii. The accessory building is at least 1' from the side property line and 1' from the dwelling or primary building on the same lot; and
 - iii. The accessory building is not located in a side yard that is adjacent to a street; and
 - iv. The accessory building's exterior materials are constructed and maintained in accordance with West Valley City Code Section 24-7-105. No metal is allowed as an exterior material; and

v. The accessory building is no taller than 8' in height.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER